

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SOUTHWESTERN BELL MOBILE SYSTEMS
LLC

Plaintiff

v.

CHRISTOPHER P. KUHN,

Defendant

Civil Action No.: 04CV11584 PBS

**ASSENTED-TO MOTION TO EXTEND THE TIME TO OPPOSE DEFENDANT'S
MOTION TO ACCEPT PAYMENTS WITHOUT PREJUDICE**

The Defendant, Christopher P. Kuhn, has filed a Motion to Accept Payments without Prejudice with this Court. The Plaintiff's, Southwestern Bell Mobile Systems LLC ("SBMS"), Opposition to the Motion is due to be filed on September 7, 2004. SBMS, with the assent of Mr. Kuhn, hereby requests an additional two weeks to file its Opposition to the Motion.

As grounds for this request, SBMS states that the parties are engaged in a dialogue in an effort to resolve the issues underlying the Defendant's Motion, and seek to avoid the potentially unnecessary expenditure of time and resources on this issue by both the parties and the Court.

WHEREFORE, SBMS, with the assent of Mr. Kuhn, hereby requests that this Court:

A) Grant its Motion to Extend the Deadline for Filing its Opposition to the Defendants Motion to accept payments without prejudice through and including September 21, 2004; and

B) Grant such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

Southwestern Bell Mobile Systems LLC

By its attorneys,

/s/ Jonathan Sablone

Jonathan Sablone, BBO #632998

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/s/ Gerald S. Garnick

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Dated: August 31, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document has been furnished to Gerald S. Garnick, Esq., Garnick & Scudder, P.C., 32 Main Street, Hyannis, MA 02601, via first class mail on August 31, 2004.

/s/ Juan A. Concepcion

Juan A. Concepcion